IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO : 11844 of 2005

Between:

Mohd. Zubair Hussain Akhtar, S/o. Mohd. Zahid Hussain,
r/o. 9-4-51/167, Meraj Colony, Tolichowki, Hyderabad.

..... PETITIONER

AND

The Regional Passport Officer, Clock Tower, Secunderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ Order or Direction in the nature of Mandamus permitting the petitioner to make an application to the Respondent seeking change of Date of Birth in the Passport No. B-3184329 and on such application the Respondent be directed to receive and consider the same in the light of Circular issued by the Ministry of External Affairs dated 18-4-2001 and consequently an interim direction may please be issued against the Respondent to correct the date of birth from 12-4-1983 to 12-1-1982 and such any other order or orders be passed which deems fit and proper in the circumstances of the case

Counsel for the Petitioner: MR.MOHD.QASIM

Counsel for the Respondent : MR.P.CHANDRA SEKAR REDDY

The Court made the following :

ORA ORDER:

Heard the learned counsel appearing for both sides and with their consent the writ petition is disposed of at the admission stage.

The petitioner seeks a direction to the respondent-Regional Passport Officer, Secunderabad to issue a passport with the correct date of birth as entered in the Secondary School Certificate issued by the Secretary, Board of Secondary Education, Andhra Pradesh, Hyderabad.

The learned counsel for the petitioner draws my attention to the judgment of this Court in ***MOHD.NASRULLAH KHAN v. REGIONAL PASSPORT OFFICER, HYDERABAD*** wherein this Court held that since the Secondary School Certificate has been produced to prove the correct date of birth, the claim of the candidate is covered by Clause (a) of the Circular dated 18-04-2001 and consequently a direction was issued to the respondent to consider the application of the petitioner along with the Secondary School Certificate and to pass appropriate orders.

Following the aforesaid judgment, direction is issued to the respondent-Regional Passport Officer, Secunderabad, to consider the application of the petitioner along with the Secondary School Certificate issued by the Secretary, Board of Secondary Education, Andhra Pradesh, Hyderabad and pass appropriate orders thereon.

The Writ Petition is accordingly disposed of. No order as to costs.

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21-6-2005

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To

1. The Regional Passport Officer, Clock Tower, Secunderabad, A.P.

2. Two C.D. copies.